

SENTENCE REVIEW DIVISION OF THE SUPREME COURT OF MONTANA  
Montana Eighteenth Judicial District Court, County of Gallatin

STATE OF MONTANA,	)	
	)	
Plaintiff,	)	
	)	CAUSE NO. DC-17-447
vs.	)	
	)	ORDER OF DISMISSAL
KENNETH WAYNE JOHNSON,	)	
	)	
Defendant.	)	

On May 3, 2019, the Defendant appeared before the Sentence Review Division of the Montana Supreme Court at the time set for a hearing to review his sentence. The Defendant was present with his attorney Brent Getty of the Office of the State Public Defender. The State was represented by Gallatin County Attorney Marty Lambert.

Before hearing the Application, defense counsel made an oral motion to vacate the Sentence Review hearing and dismiss with prejudice the Defendant's Application for Review of Sentence. The Defendant verified his desire to waive his right to sentence review.

Therefore, it is the unanimous decision of the Sentence Review Division that the Defendant WAIVED his right to sentence review and his Application is **DISMISSED WITH PREJUDICE**.

Done in open Court this 3rd day of May, 2019.

DATED this 30<sup>th</sup> day of May, 2019.

SENTENCE REVIEW DIVISION

  
\_\_\_\_\_  
Hon. Brenda Gilbert, Chairperson

  
\_\_\_\_\_  
Hon. Dan Wilson, Member

  
\_\_\_\_\_  
Hon. Luke Berger, Member



CERTIFICATE OF MAILING

I, Georgia Lovelady, Judicial Assistant of the Sentence Review Division of the Montana Supreme Court, hereby certify that copies of the foregoing SENTENCE REVIEW DECISION were mailed this 4th day of June, 2019, to the following:

Clerk of District Court  
Gallatin County  
615 S. 16th Avenue, Room 302  
Bozeman, MT 59715

Bjorn E. Boyer, Esq.  
Gallatin County Attorney's Office  
615 S. 16th Avenue, Room 202  
Bozeman, MT 59715

Brent Getty  
Office of the State Public Defender  
1917 South Higgins  
Missoula, MT 59801

Kenneth Wayne Johnson #3001024  
Montana State Prison  
400 Conley Lake Road  
Deer Lodge, MT 59722

Hon. Holly Brown  
18th Judicial District Court  
615 S. 16th St.  
Bozeman, MT 59715

Gallatin County Victim Services  
615 S. 16<sup>th</sup> Ave., Rm. 313  
Bozeman, MT 59715

Montana State Prison  
Records Department  
700 Conley Lake Road  
Deer Lodge, MT 59722

Board of Pardons and Parole  
1002 Hollenbeck Road  
Deer Lodge, MT 59722

  
Georgia Lovelady, Judicial Assistant  
Sentence Review Division